

Notice of Allowability

Application No.

10/098,713

Examiner

Phallaka Kik

Applicant(s)

MACLEAN ET AL.

Art Unit

2825

-- Th MAILING DATE of this communication appears on the cover sheet with the corresponding address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed on 4/5/2004.
2. ☒ The allowed claim(s) is/are 1,2,5,6,8,9,12,13,15,16,19,20 and 22-25, wherein claims 4,11,18,27 have been cancelled and claims 5-10,12-17,19-26 have been renumbered as 4-23.
3. ☒ The drawings filed on 15 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office Action responds to Applicant's amendment filed on 4/5/2004. Claims 1-3,5-10,12-17,19-26 are pending, wherein claims 4,11,18,27 have been cancelled and claims 1-2,5-6,8-9,12-13,15-16,19-20,22-25 have been amended. Claims 1-3,5-10,12-17,19-26 have been examined and are allowed, wherein claims 1,6,8,13,15,20,22,23,24 are subjected to the following Examiner's amendment.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows to correct the minor informalities and to update the status of the referenced application in the specification:

In the claims:

As per **claim 1**, "." (period) (line 9) has been replaced with --;-- (semicolon).

As per **claim 6**, "is" (line 3) has been replaced with --are-- for subject/verb agreement (i.e., "plurality of cells" is plural).

As per **claim 8**, "." (period) (line 10) has been replaced with --;-- (semicolon).

As per **claim 13**, "is" (line 3) has been replaced with --are-- for subject/verb agreement (i.e., "plurality of cells" is plural).

As per **claim 15**, "." (period) (line 10) has been replaced with --;-- (semicolon).

As per **claim 20**, "is" (line 3) has been replaced with --are-- for subject/verb agreement (i.e., "plurality of cells" is plural).

As per **claim 22**, "." (period) (line 9) has been replaced with --;-- (semicolon).

As per **claim 23**, "." (period) (line 8) has been replaced with --;-- (semicolon).

As per **claim 24**, "." (period) (line 10) has been replaced with --;-- (semicolon).

In the specification:

--, now U.S. Patent Application Publication No. 20030177465, -- has been inserted before "(Attorney" (page 1, line 22).

Allowable Subject Matter

3. **Claims 1-3,5-10,12-17,19-26** are allowed.

4. The following is an examiner's statement of reasons for allowance:

As per **1-3,5-10,12-17,19-26**, the previous Office mailed on 2/26/2004 sets forth the patentability of the claimed invention, wherein claims 1,8,15,22,23,24, which the claims respectively depend, recite the method/computer-readable storage medium/apparatus for speeding up processing of a layout of an integrated circuit that has been divided into cells and for performing distributed mask data preparation and model-based optical proximity correction, comprising the inventive steps/means for performing an overlap removal operation on the target cell (portion of the layout associated with the first job) and the preceding cell (portion of the layout associated with the second job), prior to determining if the target cell is identical to the preceding cell, as claimed. The prior arts made of record teach various methods/systems of producing

circuit layout and creating mask layout, including using overlap removal procedure. However, the prior arts made of record, alone or in combination, failed to teach or suggest the performing of the overlap removal prior to the determining if the target cell is identical to the preceding cell as claimed, and further fail to teach or suggest the benefits of performing such overlap removal process prior to the determining steps/means. Accordingly, the claimed invention is novel and un-obvious over the prior art made of record.

Conclusion

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phallaka Kik whose telephone number is 571-272-1895. The examiner can normally be reached on Monday-Friday, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

703-872-9318 (for Before-Final) and 703-872-9319 (for After-Final) for formal communications intended for entry,

Or:

(571) 273-1895 (for informal or draft communications, please label "PROPOSED" or "DRAFT" and let the examiner know prior to faxing).

7. Applicant should note that effective May 1, 2003, the United States Patent and Trademark Office has a new Commissioner for Patents address for transitioning to the new Office location in Alexandria, VA, wherein

Art Unit: 2825

correspondence in patent-related matters to organizations reporting to the

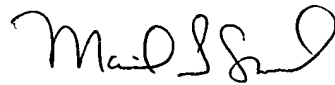
Commissioner for Patents must now be addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PK 
April 16, 2004



MATTHEW SMITH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1000